

REMARKS

In response to the final Official Action of June 5, 2007, claims 1, 17, 21, 22 and 32 have been amended to incorporate the features of claim 7 (or claim 28) and claims 7 and 28 have been cancelled.

Claim Rejections - 35 USC §102

At pages 2-9, claims 1, 2-5, 7, 8, 10-12, 14, 15, 22-29 and 32 are rejected under 35 USC §102(e) as anticipated in view of WO 01/31963, Hasan et al. With respect to claim 1, claim 1 has been amended to incorporate the features of claim 7 and the arguments raised by the Office at page 6 of the final Official Action concerning claim 7 are discussed now with respect to amended claim 1.

It is there stated that claim 7 is anticipated by Hasan based upon the reasons presented at pages 2-3 with respect to claim 1 and that Hasan further discloses transmitting a notification to the mobile terminal, which notification indicates that said mobile terminal may request a delivery of said provided content clip, wherein a handover of said mobile terminal of a radio access network of a type required for a delivery of said content clip is only triggered upon a request by said mobile terminal to deliver said content clip, and wherein said content clip is only delivered to said mobile terminal upon a request by said mobile terminal to deliver said content clip (citing page 7, lines 4-16 of Hasan). Applicant respectfully disagrees.

Specifically, Hasan fails to disclose any of the features specifically recited in claim 7 now incorporated in claim 1; namely:

- transmitting a notification to a mobile terminal, which notification indicates that the mobile terminal may request a delivery of a provided content clip;
- a handover of a mobile terminal to a radio access network of a type required for a delivery of said content clip is only triggered upon a request by the mobile terminal to deliver the content clip, and
- the content clip is only delivered to the mobile terminal upon a request by the mobile terminal to deliver the content clip.

In particular, there is no indication in Hasan that a user is invited to request delivery of an already provided content clip. The above-recited passage relied upon by the Office only relates to a handover message. Furthermore, this message is only prepared after a service request by the mobile station (see Hasan, page 6, lines 12-14) and thus before any content is provided by the content provider. It is therefore respectfully submitted that Hasan does not anticipate claim 1 as amended.

Similar amendment has been made to the remaining independent claims of the present application; namely, claims 17, 21, 22 and 32, and for reasons presented with respect to claim 1, each of these independent claims is believed to be not anticipated by Hasan.

Since each of the independent claims is believed to be not anticipated by Hasan, it is respectfully submitted that claims 2-5, 8, 10-12, 14, 15, 23-27 and 29 are further not anticipated by Hasan due to their dependency from a claim which is not anticipated by Hasan. Claims 7 and 28 have been cancelled due to incorporation of their features into the independent claims.

Claim Rejections - 35 USC §103

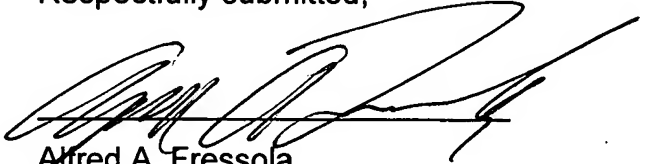
At pages 10-17, the remaining dependent claims are rejected under 35 USC §103(a) as unpatentable over Hasan further in view of either US patent application publication 2003/0022624, Sato (with respect to claim 6, 16-21 and 31) or US patent application publication 2003/0114158, Soderbacka, et al (hereinafter Soderbacka) (with respect to claims 9, 13, and 30).

Since each of these dependent claims ultimately depend from an independent claim which is believed to be allowable, it is respectfully submitted that claims 6, 9, 13, 16-21, 30 and 31 are allowable in view of such a dependency.

It is therefore respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Alfred A. Fressola', written over a horizontal line.

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